ESTABLISHED 1840.

MEMPHIS, TENN., SATURDAY, JUNE 15, 1889.

HOWARD'S LIBEL.

The Evidence Grows Interesting.

The Plaintiff Introduces an Editorial of the Tennessee Baptist,

This Declares That His Name Is Not Howard, but Howlett.

A Number of Strong Depositions From England Given in Full.

Among Them Is One From an Old Man By the Name of Howlett, Who Claims That He Is This Man's Father.

Special Dispatch to The Appeal. Jackson, Tenn., June 14.—The plaintiff, Howard, read the following editorial from the Teanessee Baptist, edited by Dr. J. R. Graves, of May 20, 1886, calling attention to the article published in that issue enti-

tled "Mask Removed:" "In this issue appears the article, 'Mask Removed,' which will also appear in the Baptist Reflector this week, over the names of the principla members of the Baptist Church at Jackson, Tenn. It is by them regarded as necessitated by the hostile attitude this Elder Howlet, alias Hewlett, alias Howard, has assumed toward the S. W. B. University, its faculty management, as well as the First Baptist Church, These brethren claim that longer forbearance would not be a Christian virtue; they think the denomination generally should know just how much credit ought to be given his statements. He has chosen to wage a deadly war on every religious institution dear to the Baptist heart in Jackson, the university and the church, and in self-defense and in defense of the sacred interests providentially placed in their charge, they feel called upon to strip the mask from this veiled prophet and so put it out of his power to inflict further injury upon them and their charges. The questions now urgent are: What is Mr. Howard's real name? Why has he twice changed his name? How many times does he claim to have been converted, and which one does he bank on being the real one? That he was a terribly wicked man before his conversion he fully admits, but the exact date of that real conversion is demanded of him, and when, and by which church he

Defendants then introduced the following depositions to prove the identity of plaintiff: The deposition of John Howlett, Sr., was first read: I reside in Trafalgar Place, Edmonton, England; am a retired policeman and sergeant under bailiff for the County Court of Edmonton, and vaccinating officer. I have every reason to believe that plaintiff, Frederick Howard, is my son. I never saw a person who so closely resembles my son as plaintiff. I had two sons named John and Frederick. Certified copies of their births are produced

was baptized and ordained."

to me and I mark my name there. Deposition of Mary Ann Howlett, the second wife of John Howlett, Sr.: My age is fifty-one years. I often saw Fred Howlett before he went to sea, I think ! recognize the plaintiff, and he looks very much like my stepson Frederick Howlett The photograph bears the resemblance of Frederick Howlett,

Deposition of E. C. Randell: I live at Edmonton, England. I know John Howlett, Sr. Eight years he has been bailiff in the same County Court in which I am engaged. He introduced a person to me as his son Frederick about four years ago at the County Court office at Edmonton. He said he was a Baptist minister and a D.D. in America. I recognize the photograph shown me as a strong likeness of the man he introduced to me as his son. There is a strong resemblance between John Howlett and the photograph

The deposition of J. W. Herbert, assistant clerk of register of the County Court of Edmonton: I have known John Howlett, Sr., seven years. He introduced a ley 108, Bijou colt 108, Woodrance 105, person to me as his son, Frederick, about Rosa Kader colt 105, Millie B 105, Honeyfour years ago and said he was a Bantist minister and a D. D. in America. The picture shown me looks like the man.

Deposition of John Seaborn was read: I am a wheelwright. I am a brother-inlaw of John Howlett, Sr. Married his sister. I ought to know Frederick Howlett. I kept him from three years old and up. He was an apprentice at sea. I saw him afterward when he came home. He had been on a trip looking for a lost ship. I don't remember the name of the ship. He was a very bright boy. He was too sharp. He said he would not live in England for any consideration. He was going

back to America. Depositian of Joseph South, London England, was read: I am a contractor to the local board. I knew him when he was a boy. Lived in Church Lane, Edmonton, I should say, since I could remember well. We lived next door to each other for ten years. We went to school together and played together. Was with his elder brother more than with him, but he was with us lots of times. It was impossible to get to the house where we lived from the grass field where we played without going through the Howlett's garden. He was as often on our place as his own. I should think no one could have a fuller knowledge of a boy except his brother. I saw him with his father four or five years ago in Edmonton walking toward his father's home. I saw him at Walter's house one night by an appointment made by Mr. Walter. It must have been about six weeks ago, as near as I can remember. I was informed by Mr. Walter something about the case and I was to identify this ginia 93, Himan 99, 25. Walter. It must have been about six man, whether he was Howlett's son or Dr. Howard. I entered the room. I never saw two men more alike, but I should not give Fred Howlett credit to have pulled Jim Quinn 106, Alabasta 106, Beth 106, himself together in that manner. He went | \$10. on to explain and asked me several ques-

Howlett to become a magistrate and a doctor of the divinity. I said no I did not think so, but I said stand up. I then said I cannot say that you are not Howlett; there were twenty or thirty persons there at the time. I left then. Mr. Walter called upon me and brought me a note telling me to attend as a witness. I said to him I would like to see the man here at my office. The reason I asked that request was that in parting that night at Mr. Walter's house shaking hands he shrank back. Seemed to shrink back from the light. He came to my office just after I had finished my breakfast; In serving him to my mind it was Frederick Howlest, I am not positive. I told him he was Howlett. He went away with the idea that I thought so. I did tell him my evidence would do him no good. I got a better view of him in my office than I did at Walter's. It was light, and I felt certain that it was Howlett.

There were various other depositions read, all showing that the plaintiff is named Howlett, and not Howard, as he claims.

The interest in this trial continues to grow. RACES AT ST. LOUIS

And Brighton Beach-Meeting Opens at

Kansas City Today-Entries. Sr. Louis, Mo., June 14.-There was small attendance at the races today. It rained hard up to I o'clock and the track was slippery and even dangerous. The racing was the worst of the meeting. The fields were small, and, as a rule, of poor quality.

First Race-Seven furlongs; selling; for all ages. Insolence 114, Taral, 7 to 10 first; Serenader 116, Seaman, 7 to 1, sec ond; Jennie McFarland 112, Barnes, 2 to 1, third. Kidnap 93, Wellington, 10 to 1, unplaced. Serenader made the running until a furlong from home where Insolence, under the whip, came through and won by a length, the same distance between second and third. Time-1:35.

Second Race—Half mile; for two year olds. Miss Maud 107, Stoval, 15 to 1, won; Venango 107, Covington, 6 to 1, second; Watterson 114, Barnes, 8 to 5, third. The others finished: Jaja 114, Hollis, 3 to 2; Egypt 107, Sioan, 12 to 1; Carter B 114, L. Jones, 6 to 1; Bessemer 107, Mattox, 4 to 1; Nannie P 107, Atkinson, 6 to 1. Watterson was first away, but before fifty yards had been run Miss Maud went to the front and maintained the lead, win-ning handily by half a length, a nose between second and third. Time-0:531. Third Race-Brewers' cup; mile and a half; for all ages; \$1,500 added. Hindoocraft 98, Barnes, 1 to 2, won; Huntress 103, Covington, 8 to 5, second. There two starters, Terra Cotta being scratched. He went East tonight to start in the Suburban. Hindoocraft led from start to finish, winning by a dozen lengths.

Fourth Race-Mile and 400 yards. Oarsman 100, Stevenson, first; Lavina Belle 111, Taral (the entry), 8 to 5, second; Bonita 89, Soden, 6 to 1, third. The others finished: Harry Gienn 108, Stoval, 4 to 1; Marchma 112, Murphy, 3 to 2. Oarsman led all the way, winning in a canter by four lengths; a length between second and third. Time—1:55]. Fifth Race—Steeplechase; the short course. Lijero 160, Hayden, even money, first Voltigen; 154 Hummell 5, to 1 sec

Time-2:141.

Voltigeur 154, Hummell, 5 to 1, sec ond; Nettie Watkins 140, Cochran, 3 to 2, third. Vexator 140, Huston, 6 to 1, fell. Lifero made all the running, and were easily by half a dozen lengths. Time-

The entries and pools for tomorrow's races are:

First Race—Seven furlongs: salling. Lotion \$100 Kermesse 103 Stir Kitty R 101 \$14; Jim 30 90, \$12; Corn risher 26, \$12; Lela B 85, \$10, May 26, \$4.

93, \$42; Cora risher 96, \$12; Lela B 85, \$19, May W 96, \$4.
Second Race-Half a mile: for two-year-olds. Indian Princess 105, \$59, West Anna 100, \$25; Leo 102, \$22; The Asp 106, \$59.
Third Bace-Toe Directors Stakes, for three-year olds. One mile and a quarier. Havillah 117, \$50; sportsman 127, \$50; Joe Courtney 119, \$30; Ledy Hempnill 114, \$12.
Fourth Bare-Selling; six Dirlongs. Tudor 101, \$50; Manule Hunt 112, \$50; Alphonse 100, \$45; Big linown Jug 99, \$40; The Dude 102, \$25; Nettle Kentul, \$48; Marrisburg 98, \$20, Kulnap 82, \$20; Red Stone 57, \$23; Siscept Dick 99, \$14; Gov. Ross 109, \$12, Mark Twain 98, \$13; Gossilne 94, \$13.
Fifth Race-One mile, Spinnette 106, \$85; Winona 95, \$65; Insolence 93, \$50; Josie M 33, \$40.

Results at Brighton Beach.

NEW YORK, June 14. - The weather was pleasant, but the track was rather stiff, lumpy and moist in places. The fields were large and the contests excellent, Firt Race-Five furlongs. Starters: Ur bana 115, Grattan 110, PowWow 108, Rip-

second, Grattan third. Second Race-Three-quarters of a mile Starters: Blue Line, Calera, Brighton, Specialty, Alva, Pocaomoke, Dago, Little Jake, Gracie, Old Rye, Lemon Blossom, Trumpeter. Gracie won in 1:20½; Blue Line second, Dago third.

man 105. Ripley won in 1:05%, Urbana

Third Race—Three-quarters of a mile. Starters: Aura, Clatter, Pat Divver, Rac-quet, Toronto, Howerson, Nina W, Red Leaf, Bootblack, Souvenir, Vevay, Carrie G, Quesal. Racquet won in 1:191; Carrie

G second, Quesal third. Fourth Race—One mile. Starters: Pericles, Elgin, Costello, Firefly, Billy Brown, Toronto, Longitude, Sweet Avon, Single-stone, Pelham, Passport. Singlestone won in 1:46], Pericles second, Passport third. Fifth Race—One mile and an eighth. Starters: Barnum, Billy Bond, Ten Booker, Bonnie S, Bonanza, Huntoon, Gallus Dan, Miss Cody. Billy Bond won in 2:101, Ten Booker second, Barnum

Kansas City Meeting Opens Today. KANSAS CITY, Mo., June 14 .- The inaugural race meeting of the Kansas City Fair Association opens tomorrow with good prospects for a successful week, despite the despicable action of the St. Louis people in continuing their meeting. The events for tomorrow have filled well. The races promise to be good and well contested. The entries, weights and pooling for tomorrow's events are as follows:

First Race—Five furlongs; selling; for all ages. Bridgelight 122, \$30; Angelus 106, \$40; Stony Montgomery 122, \$27; Mollie Howell 99, Mamie B. 106, Can Dance 107, Derby 124, \$12.

Third Race-Five furlongs, for two

Fourth Race-Ladics' stakes, five fur- dent of Memphis,

tions, did I think it was possible for Fred longs, for two-year-oll fillies. Lu'a B, 104, \$50; Ger ie B 10), \$45; Queen Ann, 102, \$20; Amelia 1(0, \$15; East Love 100,

Grace Elv 102, \$10. Fifth Race-One mile; for all ages. Entry 90, \$25; Albert Stull 95, \$16; Frederica 102, \$15; Lizzie B 102, \$11; Gladsone 92, Churchill Clark 92, Leman 126, \$5.

Sheepshead Bay Entries. New York, June 14.—Sheepshead Bay

entries for Saturday: First Bace-Five eighths of a mile. Long Jack, Scadrift, Gold Fish, Blue Rock, Beeg, Jay F Dec each, 11t, Violante 10s, Tipstaff 11t, Reclare St, Reveler, Bralford, Britandle, Pontiac 12t, Tor or so, ond Race-Five furlongs and a half. Prince

Howard, Ranceoss, Torso, Usbeyrian, Rataira, Raiph, Bayard, Tournament, King Hazem, Jorsey Pat, Fialbush, each, 110, Timothy, Onway, Muci-age, Keundand, each, 113; Bronze and Blue 107, Vetay 107, Sarright 119. Third Race—Mile and one-eighth. Hanover 114, Joe Lee 110, Barristes 110, Burel 114, Ben Harrison 97.

97.
Fourth Race—Mile and a quarter. Phablo 127, Prismo 122, Gipsey Queen 114. J. A. B. 114. The Forum 108, Orator 408, Zephyras 109, Blue Rock 109, Longstreet 109, Tenny 104, Buntoon 95. Leny Island 95. May Fellow 95, Hey Day 94, Sam Wood 108.
Fifth Ince—Mile and three-sixteenths. Glen Echo 104, Grey Dawn 104. Firenzi 128, Hanover, Brother Ran, Eureb, each 112; Longstreet 97, Montague 108.

tague 108.

Sixth Race—Mile and three-sixteenths. Inspector B 129, Eliwood 118. Euros 118, Orinfamme 115, Panama 108. Wary 103, Passport 99, Pericles 109, Inverwick, Lelogas 109, Cortez 109, Bocnecio 95, Sour Mash 90. Seventh Race-Mile and an eighth on the turf Prospect, Ballston, First Attempt, King Idle, Amos, Eolo, each 12% Tattler, St. Luke, Elgin, Bill Bond, each 1.6: Diadem 121; Firenzi, Rancocas, Fresno

Proctor Knott Will Start.

LOUISVILLE, Ky., June 14.—Sam Bryant stated yesterday afternoon that, barring accident, Proctor Knott would surely start in the Chicago Derby, and probably Come-To-Taw also. Knott, he states, is round-ing to and doing nicely. Bryant will leave Louisville Tuesday morning for Chicago, taking ten horses with him.

Empire Wilkes Sold.

WINONA, Minn., June 14 .- At the stock sale Wednesday Capt. Kidd, the well known Kentucky horseman, sold eighty blooded horses for a total of \$43,000. Em pire Wilkes, the trotting stallion, was sold to Kentucky parties for \$8,000. Most of the purchases went to Kentucky.

OBITUARY.

William Semple PITTSBURG, Pa., June 14.-Wm. Semple, the millionaire dry goods merchant of Allegheny City, and prominently identified with various railroad interests in this sec-

tion, died at 7 o'clock this morning, after a long illness, the result of a general breaking down of his system. The deceased was about sixty years old and was a self-made LOUISVILLE, Ky., June 14 .- 'Squire J. G. Melone, one of the oldest magistrates

heart disease while testifying in court late yesterday afternoon. He was sixty-eight

in Jefferson County, dropped dead of

Gen, Schofield Unwell. Washington, June 14 .- Gen. Schofield, now acting as Secretary of War, sent word to the Department this morning that he was not feeling well and consequently would remain at home. The Department was therefore practically without a head, though a few matters requiring immediate attention were taken to the General at his rooms. He has been pretty hard worked of late, having not only his own duties and a large extent of those of the Secrethe Fortification Board to attend to. The board has about finished its June labors. and the officers will probably return to their stations next week.

Two More Steel Craisers.

WASHISGTON, June 14 .- The Navy Department today issued advertisements inviting proposals for the construction of two steel cruisers of 3,000 tons displacement, under the authority conveyed by the appropriation act of September last. The contractor is required to guarantee a minimum speed of nineteen knots for four consecutive hours. The vessels are to be completed in two years and their cost is not to exceed \$1,800,000 each. The contractors are allowed to bid for the construction of the bull and machinery according to their own designs, or to accept those furnished by the department. The proposals are to be opened August 22.

The White Man Saved Him.

ial Dispatch to The Appeal COPPREVILLE, Miss., June 14.-While several negroes were bathing in Ferral's mill pond yesterday one of them became exhausted in deep water and sank from sight. His companions became fright-ened and swam hastily to the bank, leaving their friend to his fate. Mr. William McCormack, a young white farmer, who was a spectator, sprang into the pond and by diving, caught the negro after he had sunk the third time, and brought him safe to the shore.

Mal. Cole's Good Work.

HELENA, Ark., June 14.-Great interest has been manifested by numerous citizens in the religious meetings that have been conducted for the last two weeks in this city by Maj. J. H. Cole. The Major has met with phenomenal success in his labors. Over 100 citizens have joined the church, and as the work continues many more con-versions are promised. Meatings are held twice a day at the Methodist Church, where large crowds are always in attend-

Two Well Known Negroes Drowned, pecial Dispatch to The Appe

BROWNSVILLE, Tenn., June 14 .- Two well known negroes, Dan Springfield and Bob Taliaferro, were drowned today in Hatchie River, near this place. They were crossing the river in a skiff, when they were overturned, and not being able to swim were lost. They were tenants of Pat Means's farm, near the Louisville & Nashville Railroad bridge.

Judge McLain Arrested.

SAVANNAH, Mo., June 14.-Judge Mc-Lain, president of the Savannah Savings Institution, which failed Wednesday of last week, was arrested last evening for receiving deposits knowing that the bank was insolvent. The liabilities of the bank will reach \$85,000, and the assets will be over \$150,000. Only \$80.50 was found in the

A Memphis Man's Mishap.

pecial Dispatch to The Appent.

HOLLY SPRINGS, Miss., June 14.—This evening, while the Memphis accommodation train was switching, T. J. Quinn, express messenger and baggage master, fell under the engine and his right leg was crushed below the knee. He was a resi-

RELEASED.

Alexander Sullivan Made a Free Man

Judge Tuley Takes Up His Case and Liberates Him.

His Bond is Fixed at the Big Amount of \$20,00C.

A Full Synopsis of the Judge's Decision, Which Explains Why the Famous Ex-Leader of the Irish

National League Should Not be

Kept in Confinement - The Courtroom Crowded. Curcago, Ill., June 14 .- Alexander Sullivan was today restored to liberty by Judge Tuley. The release was the immediate result of Sullivan's application for a writ

of habeas corpus. Bail was fixed at \$20. 000, and was promptly furnished by four well known citizens, each of whom represented many times the total amount asked. Mr. Sullivan walked out of court after having been less than three days in custody. The Judge held that the Coroner's Jury had been influenced by outside sentiment.

Seldom, if ever, has a case drawn such a crowd as that which assembled this afternoon to hear the expected decision. The courtroom was jammed and a big concourse of men assembled in the corridors adjoining, seeking to catch from afar the words from the Judge's lips.

State's Attorney Longenecker and his assistant, Mr. Baker, were in close consultation with Judge Tuley before he came on the bench. Several unknown men also entered his chamber. They were presumably members of the Corner's Jury who returned the verdict in the Cronin

Mr. Sullivan was early on the scene. He was brought in by Sheriff Matson personally, who escorted him through the judge's chamber before the chancellor's arrival, on account of the large crowd at the other doors. On Mr. Sullivan's arrival he took a seat in the center of a circle formed by his lawyers, Messra. Trude, Windes and Gilbert, with whom he entered into a whispered consultation. A score of members of the bar evinced a professional and present.

Coroner Hertz occupied a seat by Judge Longenecker, and Congressman Lawler came in when everybody was seated, cailing from the localar Trude the observation: "Lawler is here; now let the proccodings begin."

There was a wait of three-quarters of an hour before Judge Tuley reached his courtroom. Finally at 3:45 o'clock p, m, he ascended to the bench with a written opinion which it soon became apparent had been whole mass of testimony in the case and not as first proposed merely that relating to Sullivan alone.

Mr. Sullivan braced himself in his chair and kept his eyes fixed on the Court. Judge Tuley said: "I suppose there will be no further steps taken beyond this evidence before the Coroner's jury?" Judge Longenecker replied: "That is all;

there is no additional testimony." "Because, if you had any the Court would be compelled to hear it," said the

Court. Judge Tuley then, in his characteristic matter of fact manner, began reading his

decision, and had not proceeded two minutes when the frowns of those identified with the prosecution told the drift.

THE DECISION. This is an application for a habeas corpus writ and a discharge on bail of the respondent, Alexander Schlivan, under that provision of the bill of rights of the State Constitution which provides that "all persons shall be bailable by sufficient sureties, except for capital offenses where the proof is evident or the presumption great." prisoner is, as appears by the return, held upon a warrant charging him, together with three others, with the crime of murder-of the killing of the late Dr. Cronin. By an array of counsel the evidence taken before the Coroner's jury was submitted to the court in order that the court might determine upon that evidence whether or not the prisoner should be entitled to bail. In other words, that the court should de cide whether or not the case as presented against the respondent, Sullivan, was a case in which the proof is evident or the

presumption of guilt great.

It is clear that it was from this hearsay evidence in this case that the Coroner's jury obtained the impression or supposi-tion ultimately that a conspiracy had been formed to murder Dr. Cronin. The ques-tion here is how far that evidence affects the respondent, Sullivan. That is to say, how far would be be affected by the legal evidence that would be admissible in court of law, that would be admissible upon a hearing before a committing magtrate or a trial before a petit jury.

There are a number of persons who tes-tified to the declarations of the deceased, to remarks and statements that he in connection with the respondent. Sulli-Mr. Haggarty's evidence is probably the most important in connection with the respondent, Splitvan. And upon being asked whether he said anything to him, Haggarty, which tended to show that he had an idea that Dr. Cronin's life ought to be taken, the witnessanswered: "That was my impression; that was the view I took of the conversation." Then he was asked whether Sellivan used the words: "Cronin ought to be removed." He said: "Not those words exactly, but that was my impression at the time."

That, I believe, is substantially the only evidence which tends to show that Sullivan made a threat or suggestion that Dr. Cronin's life ought to be taken. If we re ject the declarations or statements of the deceased, Cronin, as to threats that had been made against him by Sullivan as to the fears that had been excited in his mind of his life by remon of Sullivan or at Sullivan's instigation, there is practically no evidence bearing directly upon the respondent, Sullivan except the testimony of the witness, Hagarity, as to these threats, which he states Sullivan made in

will admit the declarations of Cronin made out of the presence of Sullivan. Before any committing magistrate or jury all that evidence would necessarily be ex-

That Sullivan was prominent in a faction of what was called the Clan-na-Gael or United Brotherhood Association is beyond question from the evidence; that there was a disruption or breach in that organi ration caused by Cronin and others endeavoring to investigate certain actions of Sullivan, Boland and Feely, who composed the triangle, is also shown; that a number of camps were expelled and that Cronin himself was expelled because of an attempt to pursue these investigations is also shown. And he was expelled by a committee before whom the respondent, Sullivan, prosecuted. It is also in evi dence that Cronin, after the two branches of the organization came together and charges were preferred against Sullivan, Boland and Feely, sat upon the jury or committee that tried Sullivan and the oth-er two upon those charges. From what took place before that committee and from the other evidence in the case it seems to be a conceded fact that Sullivan considered Cronin his bitter enemy; that he believed he was trying to injure him is beyond question. And, as I have said, the fact is patent that Cronin considered Sullivan his most bitter enemy, and one who was seeking his life. Cronin is murdered in pursuance of a plot or conspiracy. Now, what was the nature of that conspiracy

from this evidence? The evidence may be said to tend to show that he was murdered by personal enomies for revenge growing out of matters connected with this United Brotherhood Association. If this was a conspiracy merely of personal enemies the question occurs, what connection had or does the proof show that respondent, Sullivan, had with those personal enemies, or the con-spiracy which they formed to murder Cronin? The three parties who are held by the Coroner's jury in connection with him—the parties whom the evidence may be said to tend to show as connected with the murder of Cronin directly or indirectly, are none of them proven to have been in particular social, business or other relations with respondent, Sullivan. There is no act of his traced home to any of the acts disclosed by this testimony. not shown to have been connected in any way with obtaining the horse or buggy with which Cronin was decoyed away. He is not shown to be connected in any way with any of the parties held with him, Sullivan, to have been connected in any way with the renting of the Carlson cottage or with the parties who occupied it. The evidence would be just as com-plete as to the other three defendants if all testimony in this record as to Sullivar were obliterated. There is no evidence produced showing any act of organization or any camp, as such, for his re moval. There is still another theory friendly interest in Mr. Sullivan's being that he was removed by members of tha organization who were over-zealous in the cause of their country, for the reason that they believed, or had been made to believe, that he was a British spy; that they acted upon their own motion and without

direction from the officers of any camp of the organization. As to the act of the organization of the United Brotherhood, it s shown in the evidence that Sullivan, about four years ago, or two years ago, as others stated, resigned and quit all connection with the organization. So that, if this man was murdered in pursu-ance of the direction of any camp organization, he not being a member. It it were an act of an organization it can be aid that he was not a member. shown in the evidence that Sullivan ever met with any other conspirators, that there was any common plan to be pur-sued by them, or that he had any relations, business, socially or otherwise with Coughlin, P. O. Sullivan, or that other person, Woodruff; or that he had any particular social relations or friendship with any other person whom the evidence

points out as being subject to the sea picion of knowing anything with regard to the compiracy, I think that the Coreser's jury inforinging in their recommendation, or in bring ing in their finding that Sullivan either was an accessory or had guilty knowledge of the murder, were largely influenced by hearsay evidence. There can be no doubt from this testimony that suspicion points strongly toward the respondent; and, strange to say, one of the strongest evidences of his intense hatred of ceased appears to have been furnished by Sullivan himself since the murder of Cro nin. At the time of Sullivan's trial is sss at Buffalo, Dr. Cronin was one of the jury or committee of six. Sullivan re-monstrated or protested against his serving the 5th day of May to consider their report, they received for the first time a comnunication or protest from Sullivan in he charged not only that he was a perjurer and scoundred and went into some specific charges in detall. Certainly a protest or document which shows, as I said, a most bitter and malignant hatred of Cronin. Although it may be said that the fact that this document was not made public until two or three weeks after the killing of Cronic might be urged as a reason why Sullivan was not engaged in that conspiracy to kil Cronin, as a sensible, reasoning man, he might have known if he was engaged in it the bad effect the production of such a pro-test would have upon himself and his connection with the charge. It seems almost impossible to think that if he was and be was a party to this conspiracy he

could ever have promulgated that protest two weeks after Dr. Cronin was murdered. The evidence points to Sullivan as a person who in connection with Dr. Co might have a revenge to gratify, but fails to show any direct threat or any overt ac toward the gratification of that revenge, or any connection with any act shown by the evidence to have been committed in connection with the murder. But the Coroner's jury evidently knew this fact, and it is apparent from their verdict that they had not got to the bottom of this conspiracy. There is no doubt but that they undoubtedly believe that Sullivan was connected with this conspiracy, and, as said, largely upon bearsay evidence. Nor do I say that they failed in their duty in recommending that he be held to answer to this charge. They did not, how-ever, recommend that he be held without bail—a very common and usual form of verdict where the proof is evident or the presumption great. It is the duty of the Coroner's jury to require that every one be held against whom there is any proof in connection with a crime or offer I think it also their duty where the evidence is clear or the presumption of guilt great to recommend that they be held

But, upon a careful reading of this testimony and striking out from this testimony all but the legal evidence, I cannot, and I paraion.

think no impartial man can, make up my mind it would be possible for any jury to convict the respondent, Sullivan, on that evidence alone. That is one of the tests as to whether the party is entitled to bail or not. The mere fact that a party is an enemy of another person who gets killed is no proof of his having killed, aided or abetted, or having been engaged in a conspiracy to kill that person. The Coroner's jury do not determine guilt any more than this court does upon this investigation. The Coroner's jury knew that they had not got at anything near the bottom of this conspiracy or the facts connected with it. They expected that new facts would develop, and they will develop beyond a doubt. But you cannot deprive a man of his liberty if he is entitled to it under the law or constitution on the ground that more evidence may be produced to show him guilty. The evidence, as it is sented to the court or committing Magis-

trate is the sole test for the exercise of the judgment of the official officer. In conclusion, I say, after mature consideration, and after some hesitation and very considerable hesitation, but in case of this kind a hesitation should always be resolved in favor of human liberty, I have come to the conclusion that this defendant should be entitled to bail. I think the bail, though, should be of such a character as to positively assure his appearance.

Gentlemen, I will be pleased to hear your suggestions as to the proper ball.

No Indictment Found. CHICAGO, Ill., June 14.—The Grand Jury came into court late this afternoon and reported an indictment in a local case, but returned to its labors without handing in bills against any of the suspects in the

THE RAILROADS.

Raticond Trials. WASHINGTON, June 14.-Today has been set apart by the Interstate Commerce Commission for the hearing of the case of the Fort Worth Ice Company and others against the Missouri Pacific and Texas & Pacific, the Gulf. Colorado & Santa Fe, and the Forth Worth & Denver City Railroad Companies. Petitioners are engaged in the manufacture and sale of ice in Dallas, Fort Worth and other places in Texas and charge that the respondents are unjustly discriminating against petitioners in treight rates. The Commission decided to postpone the hearing of the case for

Open for Business.

ecial Dispatch to The Appeal. Pirrishung, Pa., June 14.-The Pennsylvania Railroad has been rebuilt through the flooded district under the direct supervision of the officers in charge of the engineering and transportation departments of the Pennsylvania Lines. The last rail needed to connect the several parts of the great thoroughfares was placed in position on Thursday afternoon. The new track is substantially built and it will be gradually ussed until Monday, June 17, when the trunk line will be opened, and express trains with Pullman cars will again run in both directions between Chicago, St. Louis, Cincinnati, Toledo and Cieveland on the west, and Baltimore, Washington, Philadelphia and New York on the cast.

About the Shipment of Cattle. Sparsorisco, Ill., June 14,-Gov. Fifer has issued a proclamation similar in terms to the one heretofore in force regarding the cial court will be appointed to deal with made only after a careful analysis of the or organization, it is not seen how importation of Southern cattle considered the land question. vey Texas or splenic fever, in which the rules of the Board of Live Stock Commisgency act, passed by the last General As embly, which define the duties of railroad transportation and stock yards companies under the proclamation, are given, and adding one section directing the manner in which cars shall be cleaned after ship ment from those districts. This proclams tion is made necessary in order to take ad vantage of the penalties prescribed in the new act, the district heretofore scheduled remaining the same.

The Panama Canal Callague, PANAMA, June 5 .- The canal collapse ontinues the topic on the lathmus, not that as matters stand it affects the canal, but that the collapse has affected all here, and produced great suffering. Thousands, as already reported, have already left, but there are others who yet require transportation. Of course there are always "the more hopeful," and these remained up to the last, but they are now moving off as fast as means of transportation are afforded by that large-hearted national charity which has led countries and islands to remove their destitute fellow-countrymen. from the isthmus. In all, upward of 9,000 amnicans have been sent back to Jamaica, and so in proportion those of other countries have been removed by the "international" feeling of charity which has moved off our "international causi" workers. Matters are of course as duil as can be and the City of Panama has resumed that ulet appearance it wore over twenty cars ago, when one or two steamers sould visit the port in a week. The num-ber of sales by auction of household furniture, even in the City of Panama, is unprecedented, and all merchandise is disposed of for much below its value,

Six Men Killed in a Fight.

Austin, Tex., June 14.-Meager details of a bloody affray last evening at Given's store, eighteen miles southeast of here. reached this city this morning. It seems that a colored Constable named Wilson undertook to arrest a white man whom he charged with horse theft. The man rested, and a general fight ensued between im and his friends and the Constable and is friends. Six-shooters were used, and four white men and two negroes were killed outright, while at least a dozen others were wounded, some probably fatally. Deputy Sheriff Johnson and posse left here at II o'clock for the scene of the con-

CINCINSATI, O., June 14.—The first workhouse sentence under the Owen law was pronounced this afternoon against Thomas B. White, a barkeeper, who was convicted of violating the law Sunday, May 26. The sentence was twenty days in the workhouse and a fine of \$100, but a stay of execution to July 1 was allowed to ermit the accused to make an appeal, The saloon Keepers' Association today reolved to assist members who are arrested, out declined to order members to violate

pecial Disputch to The Appeal.
Concurren, Miss., June 14,-Hillard Price, the negro who tried to suicide in jail last Tuesday, died last night of manu-

SIGNED AT LAST.

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Germany, England and America

Have an Understanding About the Samoan Question.

The Commission of Each Government Signs the Agreement,

The Americans Having Abandoned

the Principal Objections. These, However, Only Make Unessential Modifications in the Wording of the

Draft of the Treaty-It Must

be Ratified. WASHINGTON, June 14.—The agreement between England, Germany and the United States on Samoan affairs was signed at Berlin at 2 o'clock in the afternoon. It will not be made public until confirmed by the Senate. While it is called an agreement by officers of the State Department, Mr. Walker Blaine

said this evening that he thought it would

undoubtedly require ratification by the Senate. If the instrument signed were one regulating the conduct of two countries toward each other, as for instance between the United States and Samon, it would properly be designated as a treaty, but where the instrument signed is to shape the conduct of three Governments, viz.; the United States, England and Germany, toward a fourth party, Samos, it is held that its proper nomenclature is an agreement. At the same time as it is a matter affecting the foreign policy of the United States, it is said that it will need ratification by the Senate, and that, therefore, it

The agreement was ecrdially approved by all the members of the conference and by their respective governments. The best of feeling prevailed at the termination of the labors of the commissioners.

cannot be made public prior to action by

The Stipulations.

Bertan, June 14.-America having shandoned her principal objections to the agreement previously arrived at, the plenipotentiaries had only to make unessential modifications in the wording of the draft of the treaty. The draft guarantees an autonomous administration of the islands under the joint control of Germany and America, England acting as arbitrator in the event of differences arising. The Eqmoans are to elect their own King and Vicetoy and to be represented in a Senate composed of the principal chiefs and chambers elected by the peo-ple. Samon is to have the right of levying duties of every kind. The treaty stipulates that the Germans shall receive a money indemnity for their losses.

conditional upon the ratification of the treaty by the United States Senate. The status quo will, therefore, remain in Sa-

moa until December. Mr. Phelps will carry the treaty to Washington.
The Samoan treaty will not be published

until signed by the American Govern-THE WHITWORTH TRIAL.

The Prosecution Closes Its Side-Witnesses for the Defense Examined. pecial Diseatch to The Appeal.

GREENVILLE, Miss., June 14. - The storm having demoralized the wires, this is the first telegraphic dispatch to a newspaper in forty-eight hours. The Whitworth trial is nearing an end. The State concluded their case today, the last witness being Henry McCarty, who was shot through the body during the difficulty.

The defense opened their side of the evidence in the afternoon. There was a somewhat animated discussion as to the practice of the court, the State objecting to the prisoner's counsel his case to the jury. The Cou-cided in layer of the defense. case was then ably presented by Judge H. Cassidy. Eight witnesses were examined, all white, viz.: Messrs. Bradley, Haley, Berry, Liddell, Hughes, Hewes and Mrs. Whitworth, wife of the prisoner. The defense will probably conclude on Monday and the argument commence on Tuesday. The trial of Hoskins has been Tuesday. The trial set for Wednesday.

Two Boys Drawned.

Chicago, Ill., June 14.—George and Charles Sherwood, aged respectively fourteen and seventeen years, sons of a conductor on the Northwestern Railway, were drowned in the Calumet River yesterday afternoon. The accident occurred near the l'anhandle Bridge, Kensington. The boys were bathing, and the younger one got beyond his depth. His brother went to the rescue, but both were drowned. The bodies were recovered.

Rather Die Than Be Blind.

CINCISSATI, O., June 14. - Charles Wittstein, druggist at No. 512 Main street, committed suicide this morning at his home on Kemper Lane, Walnut Hills, by shooting himself in the head. He had spoken pleasantly to his daughter a moment before. It is supposed that a dread of approaching blindness, coupled with general ill health and nervous prestration, induced the act. He was in comfortable circum-

simposs. The Same Old Story It Was Loaded.

perial Disputch to The Appe FOREST Crry, Ark., June 14 .- A shotgun in the hands of Walter, the thirteen year old son of the Hon. George P. Taylor, was accidentally discharged this afternoon, the charge taking effect in the right shoulder, and perhaps tatally wounding Bertie, the eleven year old son of ex-Circuit Clerk James M. Stewart. Stewart & Taylor is a prominent real estate firm of this city.

His Danghter to be His Secretary.

WASHINGTON, June 14.—Commissioner of Pensions Tunner has appointed his daughter, Miss Ada Tunner, to fidential secretary, in place of Mr. George